

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

TONY HARRIS,

Case No. 17-cv-408-pp

Plaintiff,

v.

WEST ALLIS POLICE DEPARTMENT,
and SGT. BARWICK,

Defendants.

ORDER DISMISSING CASE FOR FAILURE TO PROSECUTE

On March 21, 2017, the plaintiff filed a complaint. Dkt. No. 1. The complaint named the West Allis Police Department and Sgt. Barwick as defendants. Id. at 1. In the “statement of claim” section, the complaint said: “West Allis, Dept broke jaw Aurora St. Luke’s Medical I did not receive proper medical treatment 3-15 to 3-16 West Allis, Dept 3-17 - 3-18.” Id. at 2. In the “Relief Wanted” section, the complaint said, “Award of money, also stop putting their hands on me (people, human beings).” Id. at 4. The plaintiff also filed a motion to proceed without prepaying the filing fee. Dkt. No. 2.

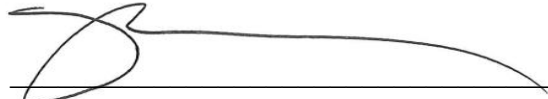
On May 14, 2018, the court issued an order, explaining to the plaintiff that there was not enough information in the complaint to allow the defendants or the court to figure out whether he had a claim. Dkt. No. 4. The court gave the plaintiff an opportunity to provide additional information; it gave him a deadline of June 15, 2018 by which to file an amended complaint. Id. at 5. It told the plaintiff that if he did not file the amended complaint by the end of the

day on June 15, 2018, the court would dismiss the case for failure to prosecute it. Id. at 5. The court mailed that order and a blank complaint form to the address on the plaintiff's complaint; it was not returned to the court as undeliverable. June 15, 2018 has come and gone, and the court has not received an amended complaint. The court must conclude, therefore, that the plaintiff received the order, but has chosen not to pursue his lawsuit.

The court **ORDERS** that the complaint is **DISMISSED WITHOUT PREJUDICE**, for failure to prosecute under Civil Local Rule 41, and for failure to state a claim under Fed. R. Civ. P. 12(b)(6).

Dated in Milwaukee, Wisconsin this 20th day of June, 2018.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
United States District Judge